

IN THE CIRCUIT COURT OF THE
NINETEENTH JUDICIAL CIRCUIT IN
AND FOR MARTIN COUNTY, FLORIDA

HL, a minor, by and through his parent and
natural guardian, ANNA HENRY,

CASE NO.:

Plaintiff,

vs.

SP BEHAVIORAL, LLC d/b/a
SANDY PINES,

Defendant.

COMPLAINT

COMES NOW, the Plaintiff, a minor child (hereinafter HL), by and through his parent and natural guardian, ANNA HENRY, and sues Defendant, SP BEHAVIORAL, LLC d/b/a SANDY PINES (hereinafter "SANDY PINES") and support thereof states as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of \$15,000.00, exclusive of interest and court costs and is within the jurisdiction of this Court.
2. Plaintiff, HL, a minor, was and is at all times material hereto a resident of Martin County, Florida.
3. ANNA HENRY, ("MOTHER"), is a resident of Broward County, Florida, is over the age of eighteen and is otherwise sui juris, and is the natural parent and guardian of HL.
4. At all times material hereto, Defendant, SP BEHAVIORAL, LLC, was and is a Florida Corporation which owned, leased, and/or maintained a residential treatment center for youths and adolescents called SANDY PINES, located at 11301 SE Tequesta Terrace, Tequesta, 33496, Martin County, Florida.
5. The actions alleged herein occurred in Martin County, Florida.

BACKGROUND AND FACTS UNDERLYING PLAINTIFFS' CLAIMS

6. On or about April 13, 2017, HL enrolled in SANDY PINES, a residential treatment center for youths and adolescents.

7. SANDY PINES is a private residential treatment center for youths and adolescents.

8. SANDY PINES is responsible for the health and well-being of the individuals living at their facility.

8. SANDY PINES hires, trains, and supervises its employees in order to ensure the health and well-being of the individuals living at their facility.

9. On or about April 13, 2017, the first day HL arrived at SANDY PINES, HL was sexually abused by another individual living at the facility.

10. The staff at SANDY PINES failed to take appropriate measures to prevent the abuse.

COUNT I - NEGLIGENCE AGAINST DEFENDANT

Plaintiff, HL, a minor, by and through his parents and legal guardian, ANNA HENRY, hereby re-alleges paragraphs 1 through 10 as if fully set forth herein.

11. At all times material hereto, SANDY PINES, owed the Plaintiff a duty to provide adequate supervision and security to Plaintiff, HL, while he was on SANDY PINES'S property.

12. SANDY PINES negligently breached this duty by inter alia: 1) failing to adequately supervise HL and the other students while on their property; 2) failing to adopt proper security measures to prevent harm to HL; 3) failing to prevent the sexual abuse of HL by another; and 4) failing to take appropriate measures in the hiring, retention, training, and supervision of its employees so as to prevent harm to HL.

13. As a direct and proximate cause of SANDY PINES'S negligence, Plaintiff HL suffered injuries and resulting pain and suffering, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization and medical treatment. These losses are either permanent or continuing in nature. The Plaintiff HL has suffered said losses in the past and will suffer said losses in the future.

WHEREFORE, Plaintiff HL requests judgment for damages against SANDY PINES, and such other relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury on all issues so triable as a matter of right.

DATED this 13th day of August, 2018.

Respectfully submitted,

THOMAS & PEARL, P.A.

Attorneys for Plaintiff

2404 NE 9th Street

Fort Lauderdale, Florida 33304

T: (954)563-9225

F: (954) 563-9497

By: /s/ Daniel Drazen

DANIEL DRAZEN, ESQ.

Florida Bar Number: 115454

ddrazen@thomaspearl.com